

Senate Engrossed House Bill

FILED

**JANICE K. BREWER
SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

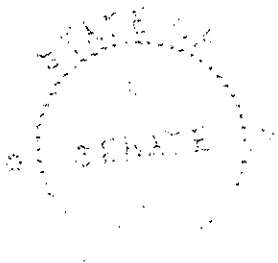
CHAPTER 204

HOUSE BILL 2094

AN ACT

AMENDING TITLE 8, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-248; RELATING TO JUVENILE BEHAVIORAL HEALTH SERVICES.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 8, chapter 2, article 4, Arizona Revised Statutes, is
3 amended by adding section 8-248, to read:

4 8-248. Hearing; service providers; definition

5 A. ON MOTION OF ANY PARTY ASSERTING THAT A CHILD OR PARENT HAS A
6 STATUTORY OR CONTRACTUAL RIGHT TO RECEIVE SERVICES FROM AN AGENCY OR PRIVATE
7 SERVICE PROVIDER, EITHER DIRECTLY OR AS A THIRD PARTY BENEFICIARY, A COURT,
8 AFTER GIVING NOTICE AND AN OPPORTUNITY TO BE HEARD, MAY ORDER THE AGENCY OR
9 PRIVATE SERVICE PROVIDER TO APPEAR AT A HEARING TO DISCUSS THE CHILD OR
10 PARENT'S SERVICE PLAN.

11 B. IF THE CHILD OR PARENT IS ELIGIBLE TO RECEIVE BEHAVIORAL HEALTH
12 SERVICES WITH TITLE XIX OR XXI OF THE SOCIAL SECURITY ACT MONIES, THE COURT
13 MAY ORDER THE AGENCY OR PRIVATE SERVICE PROVIDER TO PROVIDE ONLY THOSE
14 BEHAVIORAL HEALTH SERVICES THAT THE AGENCY OR PRIVATE SERVICE PROVIDER
15 DETERMINES TO BE MEDICALLY NECESSARY COVERED SERVICES.

16 C. THIS SECTION DOES NOT PROHIBIT THE AGENCY OR PRIVATE SERVICE
17 PROVIDER THAT HAS RECEIVED NOTICE OF THE HEARING FROM MEETING WITH THE PARENT
18 OR CHILD'S REPRESENTATIVE BEFORE THE HEARING TO COORDINATE SERVICES.

19 D. FOR THE PURPOSES OF THIS SECTION, "PRIVATE SERVICE PROVIDER" MEANS
20 ANY INDIVIDUAL OR ENTITY THAT RECEIVES FEDERAL, STATE OR LOCAL GOVERNMENT
21 FUNDING OR REIMBURSEMENT FOR PROVIDING SERVICES DIRECTLY TO A CHILD WHO IS
22 ADJUDICATED A WARD OF THE COURT.

APPROVED BY THE GOVERNOR APRIL 25, 2006.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2006.